

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2252(b) - Coercion and Enticement;
 18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography

Petty
 Minor
 Misdemeanor
 Felony

PENALTY: see attached sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

FILED

APR 05 2018
 SUSAN Y. SOON
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigations

person is awaiting trial in another Federal or State Court,
 give name of court

this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

U.S. ATTORNEY DEFENSE

this prosecution relates to a
 pending case involving this same
 defendant

prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

SHOW
DOCKET NO.

MAGISTRATE
CASE NO.

Name and Office of Person
 Furnishing Information on this form

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
 Attorney (if assigned)

Meredith B. Osborn

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.
 1) If not detained give date any prior
 summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge

5) On another conviction

} Federal State

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
 been filed? No

} If "Yes"
 give date
 filed

DATE OF
 ARREST

Month/Day/Year
 March 22, 2017

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
 TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

United States v. Ryan Jay Rosenthal
Penalty Sheet Attachment

Count 1: 18 U.S.C. § 2252(a)(2) – (Receipt of Child Pornography)

Maximum Penalties (Class C felony):

Minimum prison term:	5 years
Maximum prison term:	20 years
Maximum supervised release term:	lifetime
Minimum supervised release term:	5 years
Maximum fine:	\$250,000
Mandatory special assessment:	\$5,100 (18 U.S.C. § 3014)
Restitution:	Determined by the court

Count 2: 18 U.S.C. § 2422(b) (Coercion and Enticement)

Maximum Penalties (Class C felony):

Minimum prison term:	10 years imprisonment
Maximum prison term:	20 years imprisonment
Maximum supervised release term:	lifetime
Minimum supervised release term:	5 years
Maximum fine:	\$250,000 fine
Mandatory special assessment:	\$5,100 (18 U.S.C. § 3014)
Restitution:	Determined by the Court

1 BRIAN J. STRETCH (CABN 163973)
2 United States Attorney
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FILED

APR 05 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,) No. 17-CR-0133 JST
13 Plaintiff,)
14 v.) VIOLATIONS:
15 RYAN JAY ROSENTHAL,) 18 U.S.C. § 2252(a)(2) – Receipt of Child
16 Defendant.) Pornography;
17) 18 U.S.C. § 2422(b) – Coercion and Enticement;
18) 18 U.S.C. § 2253(a) – Criminal Forfeiture
19) OAKLAND VENUE
20)
21)
22)
23)
24)
25)
26)
27)
28)

SECOND SUPERSEDING INFORMATION

21 The United States Attorney charges:

22 COUNT ONE: (18 U.S.C. § 2252(a)(2) – Receipt of Child Pornography)

23 Beginning on or about February 5, 2017 and continuing until at least February 26, 2017, in the
24 Northern District of California, the defendant,

25 RYAN JAY ROSENTHAL,

26 did knowingly receive via the internet at least one visual depiction, the production of which involved at
27 least one minor engaging in sexually explicit conduct, as defined in Title 18, United States Code Section

1 2256, which depiction had been transported in interstate or foreign commerce, had been sent or received
2 using any means or facility of interstate or foreign commerce, or which contained materials that had
3 been mailed, shipped, or transported in interstate or foreign commerce by any means, including by
4 computer, all in violation of Title 18, United States Code, Section 2252(a)(2).

5 COUNT TWO: (18 U.S.C. § 2422(b) – Coercion and Enticement)

6 Beginning on or about December 23, 2015 and continuing until at least March 1, 2016, in the
7 Northern District of California and elsewhere, the defendant,

8 RYAN JAY ROSENTHAL,

9 using a facility or means of interstate commerce, did knowingly persuade, induce, entice and coerce
10 minor victim A.R. who had not yet attained 18 years of age, and who defendant believed was less than
11 18 years of age, to engage in sexual activity for which the defendant could be charged with a criminal
12 offense, to wit, the production of child pornography under 18 U.S.C. § 2251(a) and Arkansas Code Ann.
13 5-27-303, in violation of Title 18, United States Code, Section 2422(b).

14 FORFEITURE ALLEGATION: (18 U.S.C. § 2253(a) – Forfeiture)

15 1. The allegations contained in Counts One and Two of this Indictment are hereby re-
16 alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United
17 States Code, Section 2253, and Title 21, United States Code, Section 853.

18 2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of any offense
19 alleged herein, the defendant,

20 RYAN JAY ROSENTHAL,

21 shall forfeit to the United States of America:

22 a. Any visual depiction described in Title 18, United States Code, Sections 2251 or
23 2252, or any book, magazine, periodical, film, videotape, or other matter which
24 contains any such visual depiction, which was produced, transported, mailed,
25 shipped or received in violation of Title 18, United States Code, Chapter 110;
26 b. Any property, real or personal, constituting or traceable to gross profits or other
27 proceeds obtained from the offenses; and
28 c. Any property, real or personal, used or intended to be used to commit or to

1 promote the commission of the offenses, including but not limited to the
2 following:

3 i. Western Digital Hard drive, 1 terabyte, S/N WCATR56229683
4 ii. Crucial MX 100 2.5 SSD, 512 gigabyte, S/N 14360D230FCE
5 iii. Samsung Galaxy S6, Verizon SM-G920V

6 3. If any of the property described above, as a result of any act or omission of the defendant:
7 a. cannot be located upon the exercise of due diligence;
8 b. has been transferred or sold to, or deposited with, a third party;
9 c. has been placed beyond the jurisdiction of the court;
10 d. has been substantially diminished in value; or
11 e. has been commingled with other property which cannot be divided without
12 difficulty;

13 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
14 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b)
15 and by Title 28, United States Code, Section 2461(c).

16
17 DATED: *April 5, 2018*

18 ALEX G. TSE
19 Acting United States Attorney

20 *Barbara J. Valliere*
21 BARBARA J. VALLIERE
22 Chief, Criminal Division
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